

REMARKS

Claims 1 to 31 are pending in this application. Of these, claims 1, 15 and 28 are independent¹. Favorable reconsideration and further examination are respectfully requested.

Claims 1, 2, 6-16, and 19-29 were rejected under 35 U.S.C. §102(e) over BENNETT (U.S. Patent No. 7,050,977). As shown above, Applicant has amended the claims. In view of these amendments, withdrawal of the art rejection is respectfully requested.

Amended claim 1 defines a computer implemented method of conducting commerce. The method includes receiving a transaction request from a user as text input, and using natural programming language to analyze the text input to build a conversation with the user based on the transaction request. The method also includes conducting a transaction with the user based on the text input, and generating a voice-synthesized response in accordance with the transaction through an avatar. The method also includes tracking the transaction by storing the transaction in the database, and analyzing, statistically, a plurality of tracked transactions made by plural users to produce market research information.

BENNETT is not understood to disclose the foregoing features of claim 1. More specifically, BENNETT is silent with regard to analyzing, statistically, a plurality of tracked transactions made by plural users to produce market research information. As understood by Applicant, BENNETT discloses that a speech recognition system integrates with a natural language processing system to permit a real-time question/answer session between a user and an interactive character. (see, e.g., the Summary of BENNETT). However, nowhere does

¹ The Examiner is urged to independently confirm this recitation of the pending claims.

BENNETT disclose or suggest analyzing, statistically, a plurality of tracked transactions made by plural users to produce market research information.

Claims 3-5, 17, 18, 30, and 31 were rejected under 35 U.S.C. 103(a) over BENNETT in view of SMITH et al. (Patent No.: US 6,853,982).

SMITH is not understood to add anything that would remedy the foregoing deficiencies of BENNETT vis-à-vis claim 1. In particular, SMITH does not disclose analyzing, statistically, a plurality of tracked transactions made by plural users to produce market research information. For example, SMITH at col. 9, lines 36-52 reads:

As illustrated by FIG. 1, the data stored for each user may include one or more of the following types of information (among other things) that can be used to generate recommendations in accordance with the invention: (a) the user's purchased history, including dates of purchase, (b) a history of items recently viewed by the user, (c) the user's item ratings profile (if any), (d) the current contents of the user's personal shopping cart(s), and (e) a listing of items that were recently (e.g., within the last six months) removed from the shopping cart(s) without being purchased ("recent shopping cart contents"). If a given user has multiple shopping carts, the purchase history for that user may include information about the particular shopping cart used to make each purchase; preserving such information allows the Recommendation Service to be configured to generate recommendations that are specific to a particular shopping cart.

Thus, SMITH merely describes generating personalized recommendations based upon a specific user's online shopping history and pattern. In other words, SMITH does not provide information that is based on transactions made by plural users, much less market research information.

Accordingly, claim 1 is believed to be patentable over the art. Claims 15 and 28 include features similar to claim 1, and are believed to be patentable for at least the same reasons set forth above.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Please apply any fees due in this application to deposit account no. 06-1050.

Respectfully submitted,

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